Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

In re Wedmore, [1907] 2 Ch. 277, 280; THEOBALD ON WILLS, 7 ed., 846. In the United States the two are treated alike. *Reynolds* v. *Reynolds*, 27 R. I. 520; *Wood* v. *Vandenburgh*, 6 Paige (N. Y.) 277. If the intention of the testator was to grant a priority this intention should of course govern. See *Appeal of Trustees of University of Pennsylvania*, 97 Pa. St. 187, 200. In the absence of an expressed intent, cases where priority is allowed must be justified by the fiction of a presumed intent. Whether or not the relinquishment would inure to the benefit of the estate, it seems reasonable where the legacy is offered substantially as an equivalent for a right relinquished, to imply a desire to have this legacy paid in full even at the expense of the other legatees. This seems a more satisfactory view than arbitrarily to restrict the dower rule to its facts, as did the principal case. Of course, if the right were to a liquidated sum less than the legacy, the implication would not be justified. *In re Wedmore, supra.* But the principal case is not distinguishable in that way. An intent to give priority can reasonably be implied, it is submitted, wherever a testator conditions a legacy on the relinquishment of a right which is not obviously worth less than the legacy.

LIBEL AND SLANDER — ACTS AND WORDS ACTIONABLE — WORDS ACTIONABLE PER SE. — The defendant published a sensational and improbable story which purported to be a narration by the plaintiff of a personal experience. The plaintiff, a famous author, lecturer, and explorer, had written no such story. In a suit for libel the defendant demurred to a complaint setting out these facts. *Held*, that the demurrer should be overruled. *D'Altomonte* v. *New York Herald Co.*, 139 N. Y. Supp. 200 (Sup. Ct., App. Div.).

It is well settled that to constitute libel there need be no direct statement about the plaintiff. *Archbold* v. *Sweet*, 5 Car. & P. 219; *Maynard* v. *Fireman's Fund Ins. Co.*, 47 Cal. 207. Nor is it necessary that the defendant intend any libel. *Curtis* v. *Mussey*, 6 Gray (Mass.) 261. The publication in the principal case would lead readers to believe that the plaintiff was a writer of stories of doubtful literary merit. *Cf. Archbold* v. *Sweet, supra.* Also, by attributing to the plaintiff the recounting of personal experiences which his associates would know had never happened, the publication imputes to the plaintiff the writing of falsehoods. Words are held to be defamatory if they would be so understood by a particular class of persons. *Martin* v. *The Picayune*, 115 La. 979, 40 So. 376; *Archbold* v. *Sweet, supra.* The principle generally adopted by the courts is that the question must be left to the jury if they might reasonably find that the publication was understood as defamatory. *Dennis* v. *Johnson*, 42 Minn. 301, 44 N. W. 68; *Martin* v. *The Picayune, supra.* In the principal case the jury might reasonably find that the plaintiff's reputation for truth and for being a person of real literary ability was injured among his associates by the publication.

MUNICIPAL CORPORATIONS — FRANCHISES AND LICENSES — ESTOPPEL TO CHALLENGE VALIDITY OF ORDINANCE WHILE ENJOYING FRANCHISE UNDER IT. — A borough by ordinance granted the defendant's assignor the right to use the streets for gas on condition that they supply free gas to churches. The defendant refused to comply with the condition on the ground that the ordinance was void. *Held*, that the validity of the ordinance cannot be attacked by those enjoying a franchise under it. *Bellevue Borough* v. *Manufacturers' Light & Heat Co.*, 238 Pa. St. 388.

If the decision in the principal case is correct, it must be on the ground that since the defendant accepted benefits under the ordinance, it is now estopped to assert its invalidity. It is well settled that public policy prevents the estoppel of a municipal corporation to assert its own lack of power. *Ottawa* v. *Carey*, 108 U. S. 110; *McPherson* v. *Foster Bros.*, 43 Ia. 48. But a